

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-2927
Minority (202) 225-3641

December 14, 2015

The Honorable Sylvia Burwell
Secretary
The Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Burwell,

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Energy and Commerce is examining the implementation of the Patient Protection and Affordable Care Act (ACA). The Centers for Medicare and Medicaid Services (CMS) posts quarterly snapshots of “effectuated” enrollment numbers, reflecting individuals who signed up for coverage through the federal or state marketplaces, paid premiums and had an active policy at the end of the month.¹ The Committee seeks information that will provide a more detailed accounting of effectuated enrollment on a monthly basis from January 2014 to the present.

On October 15, 2015, you announced that the Department of Health and Human Services expects 10 million individuals to be enrolled in coverage through the marketplace by the end of 2016.² This estimate is significantly lower than previous projections by the Congressional Budget Office (CBO), CMS actuaries, and outside groups. Most recently, in June 2015, the CBO projected that 20 million individuals would be covered by the end of 2016.³ In addition to lower than expected enrollment numbers, there is a significant amount of attrition in the exchanges through the year. Due to the structure of the ACA, enrollment fluctuates each month due to factors that include special enrollment periods, exemptions, and changes in eligibility. Little is known about how many individuals take advantage of exemptions and special enrollment periods, and how CMS ensures that these functions are not abused.

¹ Centers for Medicare and Medicaid Services, *June 30, 2015 Effectuated Enrollment Snapshot*, available at <https://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-sheets/2015-Fact-sheets-items/2015-09-08.html> (last visited Nov. 24, 2015).

² U.S. Dept. of Health and Human Services, Press Release, *10 Million People Expected to Have Marketplace Coverage at End of 2016* (Oct. 15, 2015).

³ Congressional Budget Office, *Budgetary and Economic Effects of Repealing the Affordable Care Act* (June 2015).

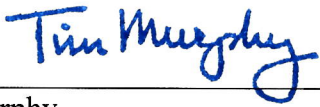
We ask that you provide the following information within two weeks of the date of this letter:


1. Please provide a monthly breakdown of the number of individuals that had effectuated enrollment – those individuals who had paid their premiums and had an active policy at the end of that month – from January 2014 to the present.
2. Please provide a monthly accounting of how many individuals were removed from enrollment due to ineligibility, including household income and citizenship and immigration status.
 - a. For household income, citizenship, and immigration status, how does CMS review data inconsistencies to determine an individual is ineligible?
 - b. Are state exchanges responsible for assessing eligibility within state exchanges? If so, please list the state exchanges responsible for eligibility verification.
3. Please provide a breakdown of the number of individuals who claimed an exemption from insurance coverage.
 - a. List the types of exemptions that are reviewed and granted by CMS. For each exemption, please include the number of individuals that were granted the exemption.
 - b. How was each exemption determined and enforced by CMS?
4. Please provide a monthly breakdown of the number of individuals who claimed a special enrollment period to sign up for coverage outside of the enrollment period.
 - a. Please provide detailed information regarding the types of special enrollment periods that were granted by CMS, including the number of individuals for each type.
 - b. How does CMS verify the individual's status to confirm they are eligible for a special enrollment period?
 - c. Are state exchanges responsible for verifying special enrollment periods? If so, please list the state exchanges that are responsible for special enrollment period verification.

Please provide this information by January 4th, 2015. An attachment to this letter provides additional information on how to respond to the Committee's request. If you have any questions regarding this request, please contact Emily Felder or Brittany Havens with the Committee staff at (202) 225-2927.

Sincerely,



Fred Upton
Chairman

Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

Joe Pitts
Chairman
Subcommittee on Health

Attachment

cc: The Honorable Frank Pallone, Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations

The Honorable Gene Green, Ranking Member
Subcommittee on Health